

Message Text

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PAGE 01 BUENOS 03680 232223 Z

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ACTION ARA-17

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FM AMEMBASSY BUENOS AIRES

TO SECSTATE WASHDC 2195

INFO CINCSO

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C O N F I D E N T I A L BUENOS AIRES 3680

E. O. 11652: GDS

TAGS: PGOV, AR

SUBJ: STATE OF SIEGE LIFTED; SUPREME COURT RESIGNATIONS ACCEPTED

USCINCSO FOR POLAD

BEGIN UNCLASSIFIED

1. SUMMARY: THE JUNTA OF COMMANDERS- IN- CHIEF DECIDED MAY 22 TO LIFT THE NATION- WIDE STATE OF SIEGE AS OF MAY 23 AND TO ACCEPT THE RESIGNATION OF ALL FIVE MEMBERS OF THE SUPREME COURT AS OF MAY 24. AS AN ADDITIONAL GESTURE CLOSING THE BOOK ON THE PAST, ARMY CINC LANUSSE REPORTEDLY ORDERED THAT BEGINNING MAY 25, THE LIBERTY MARCH WAS NO LONGER TO BE PLAYED IN MILITARY FORMATIONS. NO ACTION REQUIRED. END SUMMARY.

2. THE STATE OF SIEGE IN EFFECT IN ALL PARTS OF ARGENTINA SINCE JUNE 30, 1969 FOLLOWING THE ASSASSINATION OF INSURGENT PERONIST METALWORKERS UNION SECRETARY GENERAL AGUSTO VANDOR WAS LIFTED AS OF ZERO HOURS MAY 23 BY DECREE OF THE MILITARY JUNTA AND THE MINISTER OF INTERIOR. SINCE THE DECREE TERMINATED THE EXECUTIVE' S LEGAL RIGHT TO IMPRISON CITIZENS UNDER CERTAIN CIRCUMSTANCES WITHOUT IMMEDIATE TRIAL, 45 PRISONERS WHO WERE NOT INVOLVED IN ANY COURT PROCESS WERE IMMEDIATELY FREED,
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PAGE 02 BUENOS 03680 232223 Z

ACCORDING TO THE MINISTER OF INTERIOR. ADDITIONAL PRISONERS, HE ADDED, MAY ALSO BE RELEASED IN THE NEXT FEW DAYS AS PENDING COURT PROCESSES ARE DROPPED. FURTHERMORE, 55 PERSONS WHO CHOSE TO LEAVE THE COUNTRY RATHER THAN FACE IMPRISONMENT UNDER THE REGIMEN OF THE STATE OF SIEGE ARE NOW FREE TO RETURN.

3. THE TEXT ACCOMPANYING THE DECREE READ, INTER ALIA, " THE MEASURE SEEKS TO CONSOLIDATE POLITICAL PEACE AMONG ARGENTINES WHICH HAS BEEN A PERMANENT OBJECTIVE OF THE GOVT OF THE ARMED FORCES.... THE LIFTING OF THE STATE OF SIEGE TOGETHER WITH AN AMPLE, GENEROUS, AND JUST AMNESTY, THE IMPLEMENTATION OF WHICH IS CONSIDERED WITHIN THE COMPETENCE OF THE FUTURE CONSTITUTIONAL AUTHORITIES, WILL ACHIEVE AN ADEQUATE FRAMEWORK FOR THE RECONCILIATION OF THE ARGENTINE PEOPLE IN PEACE AND FREEDOM."

4. LANUSSE' S ORDER CONCERNING THE LIBERTY MARCH FOLLOWED SEVERAL DAYS OF PUBLIC EXCITATION ABOUT WHETHER OR NOT IT WOULD BE PLAYED AT THE INAUGURATION CEREMONY, ASSOCIATED AS IT IS WITH THE OVERTHROW OF PERON. BRIG. GEN. MANUEL H. POMAR, IN CHARGE OF THE TROOP FORMATIONS ON INAUGURATION DAY, MADE A CONCILIATORY STATEMENT TO THE X INFANTRY BRIGADE ON MAY 22 CONSISTENT WITH LANUSSE' S ORDER, " WE FEEL THE NEED TO COMMIT OURSELVES TO THE COMMON DESTINY; TO SERVE IN THE ARMY GRATIFY- INGLY ALLOWS US TO BE IN COMMUNION WITH THE PEOPLE IN A FRAME- WORK OF MUTUAL RESPECT AND DEDICATION TO FREEDOM. ONLY THUS CAN WE ACHIEVE THE NATION' S FUTURE GREATNESS."

5. COMMENT: THE STATE OF SIEGE HAS BEEN A RECURRING TARGET OF POLITICAL ATTACK AND ITS ABANDONMENT HAS BEEN REPEATEDLY CONSIDERED IN RECENT MONTHS AND REPEATEDLY DELAYED BY FRESH INSTANCES OF TERRORIST VIOLENCE.

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6. SIMILARLY THE RESIGNATIONS OF SUPREME COURT MEMBERS HAVE BEEN PERIODICALLY RUMORED IN RECENT MONTHS. ALL FIVE JUDGES WERE APPOINTED WITHOUT SENATE CONFIRMATION (FOUR ON JULY 1, 1966 AND ONE IN AUGUST 1970), AND REPORTEDLY FEEL THAT THEIR COMMITMENT WAS TO GUARD JUDICIAL INTEGRITY UNTIL CONSTITUTIONAL RULE WAS REESTABLISHED. THEY MAY ALSO HAVE FEARED THAT IF THEY DID NOT VOLUNTARILY RESIGN, THEY MIGHT
CONFIDENTIAL

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PAGE 03 BUENOS 03680 232223 Z

FACE THE KIND OF PRESSURE THAT FORCED OUT THEIR PREDECESSORS IN 1946-47.
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7. THE LIBERTY MARCH HAS BEEN PLAYED AT THE DISMISSAL OF MILITARY FORMATIONS SINCE 1956 WHEN THE CUSTOM WAS ORDERED BY LT. GEN JULIO LAGOS ONE OF THE MILITARY CHIEFS WHO TOPPLED PERON.

8. IN THE ABOVE REPORTED ACTIONS THE MILITARY GOVT IS LEAVING
OFFICE WITH ORDER AND THOROUGHNESS.
LODGE

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